Development Protocol

Capitol Neighborhoods, Inc.

A

Process

For

Building Success

Developer Edition

May 2007

Capitol Neighborhoods has established a protocol for review of development proposals to provide an established and predictable process. As part of the process of developing this protocol the participants realized that neighborhood residents would benefit from a broad range of information. A significant portion of the protocol became a resource manual and training guide for residents.

As a courtesy to the development community a condensed version of the protocol has been produced in this Developer Edition. This edition tries to capture the key elements of the protocol which will be of interest and benefit to the development community. Portions of select chapters are included in this edition. Neighborhood specific information has been edited out of these chapters where noted. Nonetheless the reader is encouraged to refer to the other portions of the full protocol to gain a broad knowledge base of resident involvement in review of development proposals. The full Table of Contents is reproduced in Appendix 2.

(*) indicates that neighborhood specific text has been removed

Capitol Neighborhoods Executive Council

Resolution adopting the development review protocol

February 27, 2007

Whereas there has been a longstanding complaint from the development community that neighborhood deliberations regarding development proposals are not predictable; and

Whereas Capitol Neighborhoods has many new residents who are not familiar with practices regarding development proposal review; and

Whereas the City of Madison has developed a "Best Practices Guide for Developers, Neighborhoods & Policy Makers" which identifies neighborhood involvement as a best practice; and

Whereas Capitol Neighborhoods has solicited and received a grant from the City of Madison to prepare a development protocol; and

Whereas a diligent committee of Capitol Neighborhoods members from among the various Districts have invested many hours of their time in putting this protocol together: and

Whereas the protocol has reached a stage where it can be used and 'practiced'; and

Whereas we know that there are many practical aspects that will be adjusted as this protocol is put to use; and

Whereas this protocol is intended as a guide for Capitol Neighborhoods' residents to more skillfully review development proposals; and

Whereas this protocol is not intended to be submitted as a city ordinance; and

Whereas this protocol is designed as a menu of options for our neighborhood residents to use in consultation regarding specific development proposals and with various developers; and

Whereas the Capitol Neighborhoods Executive Council wishes to endorse this stage of this protocol;

BE IT THEREFORE RESOLVED that this protocol, *A Process for Building Success,* be adopted as the working model for how Capitol Neighborhoods interacts with developers when reviewing development proposals.

BE IT FURTHER RESOLVED that this protocol will be revisited periodically to adapt policies and practices that evolve through its use to better serve the neighborhood residents, the City of Madison, and the development community.

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Chapter 1: INTRODUCTION AND FUNDAMENTAL PRINCIPLES

This Development Protocol has been produced under the sponsorship of Capitol Neighborhoods, Inc. (CNI) as a guide for its districts to participate in the City's development proposal review process. This Protocol enables district committees to work with developers, city staff, and city decision-making bodies to represent neighborhood interests in development proposals. (*)

Development of this Protocol drew on the City's guide, "Participating in the Development Process: A Best Practices Guide for Developers, Neighborhoods & Policy Makers." Neighborhood participation has been written into the City of Madison's development ordinances, which have identified neighbor involvement as a best practice.

City law requires developers to give neighborhood associations 30 days' notice prior to proposal submission for zoning map amendment or granting of conditional use permits. In addition to the legally required 30-day notice, the "Best Practices Guide" calls for developers to involve neighborhoods in a dialogue during the very early phases of proposal development. That is where the most meaningful participation in proposal concept and design takes place. Moreover, Madison's alders play a special role in assuring that a constructive dialogue takes place between developers and the neighborhood.

CNI comprises six districts: Mansion Hill, First Settlement, Bassett, Mifflin West, State/Langdon and James Madison Park.

It is expected that CNI will have a role in ensuring that the community voice is heard in development proposals affecting our living environments and property values. In return, the "Best Practices Guide" strongly recommends that "neighborhood associations adopt standing procedures for considering development proposals" brought before them. Representatives from the six districts of CNI have participated in writing this document to fulfill our responsibilities in the development process.

These are our overarching principles:

- CNI and its districts strive for a constructive relationship with developers. CNI is developing a systematic, predictable and timely process, which includes presentations, dialogue, and documentation of participant opinion. The process also calls for advisory and/or position papers to articulate neighborhood

preferences for communicating with decision makers on the City's Urban Design Commission, Landmarks Commission, Plan Commission, and Common Council, plus other necessary Commissions, bodies or individuals within city hall.

- Developers are expected to:
    - present their proposals early in the development process,
    - provide full presentation of proposal details as they are available,
    - conduct dialogue with the neighborhood to work out issues.
- CNI and its districts welcome alder assistance in facilitating a dialogue with developers, city staff and decision-making bodies. We expect the current process of frequent and close consultation to continue.
- CNI and its districts recognize the need to harmonize development in their neighborhoods with the city. The City's overall development policies and objectives are expressed in the city plan and adopted priorities.
- CNI and its districts strive to preserve the integrity of existing neighborhood plans as well as Historic District, Design District, and Neighborhood Conservation District ordinances. CNI and its districts intend to develop additional systematic statements of neighborhood development preferences and positions.
- The first priority of CNI and its districts is to represent the interests of residents. We also recognize the importance of, and welcome the participation of, local property owners, business owners, workers, and other interested parties in the discussion of development issues within our boundaries.
- Each neighborhood resident has a right to participate and to be heard.

All interested parties—resident and non-resident—must disclose any personal interest or any affiliation that may be seen as influencing their statements or advocacy. For example:

- Tenant of developer whose proposal they are addressing,
- Employee of the developer at hand, or of any other downtown developer
- Real estate agent for any of the downtown developers,
- Probable resident of the proposed development (with particular attention to disclosure if a deposit has been made to reserve a unit),

- o Neighboring residents who may be impacted by potential development in terms of viewsheds, shadowing, etc.
- Minority views within the neighborhood dialogue process are honored and communicated in written documents and statements to City bodies.
- Residents must be cautious about accepting offers of value from a developer or a developer's representative. Acceptance may imply supporting a particular action or may cause the appearance that actions are being taken as a result of such acceptance.
- Membership on, and leadership of, <u>Steering Committees</u> is defined by the district or CNI, not by the developer.

This Protocol document is intended to aid neighborhood residents, developers and city officials in having a smooth, timely and inclusive development review process. (*) CNI looks forward to successful building projects that enhance Capitol Neighborhoods and that are the result of well thought-out working relationships among neighborhood residents, developers and city officials.

Chapter 3: PROPOSAL REVIEW PROCESS

Just as each proposal will be different, the details of the review process will also vary. The review process for a small redevelopment or change of use may be much different from a large redevelopment or full block proposal. The following outline identifies key elements that may be part of the review process for any proposal. The outline also tries to identify an ideal for the process, with a goal of creating an open and productive communication between developers and the neighborhood.

The proposal review process is an evolutionary design, the details of which will vary depending on the complexity of the proposal and the organization of the district. The steps in the process will be adapted and will evolve based on the efforts and responses of the participants. Recommended meeting process techniques are found in this chapter in the section "Holding Effective Neighborhood Meetings," and in Appendix 3, "Meeting Sequence for Developer/Neighborhood Dialogue." This chapter closes with a section on holding effective neighborhood meetings under, "Step Six: Review the Draft Response Document."

Timely Communications

A key to the success of any review process is clear and timely communications between participants. Clearly conveying expectations and timeframes throughout the review process will keep those involved informed and focused. As a review progresses it will be important to establish responsibilities, timeframes and specific deadlines for the next step in the review. Documenting these commitments will reduce frustrations and misunderstandings and ultimately lead to a more successful review process.

It will also help to establish a culture of updating. This means checking in with each other for brief updates on the status of work promised. This communication can and should be initiated by either party to the process.

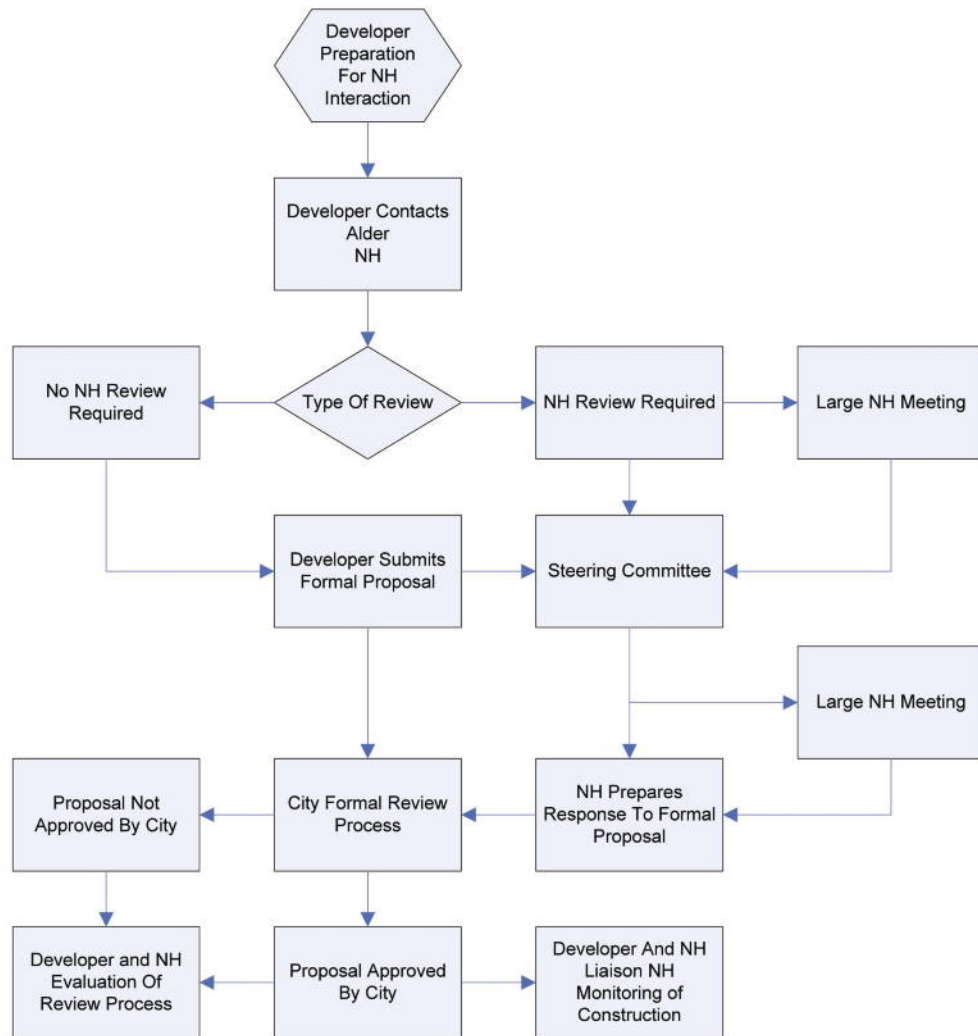Participants must be cognizant of the differences in capacity that various entities bring to the process. Developers typically engage a range of consultants to assist in formulating a proposal but nonetheless do not have unlimited budgets of money or time. Neighborhoods, as volunteer organizations, typically will have more limited capacity which may mean that more time is required to perform certain tasks. All

participants need to understand each other's capacities and their limitations as the process evolves.

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Outline of Proposal Review Process

- Developer preparation for neighborhood involvement
- Organizing developer contacts with the neighborhood
- Neighborhood proposal review
    - Early phase exploration
    - Design concept dialogue
    - Neighborhood review of the formal proposal
    - Formulating a neighborhood response
- Neighborhood participation in city decision-making
    - Neighborhood representation and other testimony
    - Resolution of issues
- Post Approval and construction phase
    - Developer liaison and neighborhood monitoring
    - Evaluation of neighborhood response and impact

Neighborhood Proposal Review Process

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                   ╱   Developer       ╲
                  ╱    Preparation       ╲
                  ╲    For NH            ╱
                   ╲   Interaction      ╱
                    └─────────────────┘
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                    │ Developer Contacts│
                    │      Alder        │
                    │       NH          │
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                            ▼
                         ◇ Type Of Review ◇
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Developer Preparation For NH Interaction

Developer Contacts Alder NH

Type Of Review

No NH Review Required

NH Review Required

Large NH Meeting

Developer Submits Formal Proposal

Steering Committee

Large NH Meeting

Proposal Not Approved By City

City Formal Review Process

NH Prepares Response To Formal Proposal

Developer and NH Evaluation Of Review Process

Proposal Approved By City

Developer And NH Liaison NH Monitoring of Construction

Developer Preparation for Neighborhood

In general, developers are advised to be prepared to provide transparent and complete presentations of development proposals to residents and other interested parties participating in the neighborhood review process. Developers should strive to begin the dialogue process as early as possible in the conceptualization of the project. A perspective on the participation process from the viewpoint of the developer is found in Chapter 5, "Developer Readiness."

Organizing Developer Contact with the Neighborhood

City procedures encourage early and sustained contact between the developer and neighborhood residents, city planning staff, alders, the district representatives, neighborhood associations, businesses, and other interested parties.

- City ordinance requires formal notification to neighborhood associations 30 days prior to submission of a formal development application to the City's Planning Department.
- Capitol Neighborhoods, Inc. (CNI) expects that the consultation process will begin at the earliest possible moment in the developer's thinking about a potential proposal.
- Developers are expected to have researched city and neighborhood plans; applicable design guidelines; historic district, conservation district, and design district ordinances; previous District Advisory/Position Statements; and neighborhood concerns prior to considering a development in a neighborhood/district.
- Developers are expected to become familiar with the structure of Capitol Neighborhoods Inc. as described in Chapter 2, "Internal Organization and Proposal Review Jurisdiction" and Appendix 2, "Roles" in this Protocol.

As a proposal begins to take shape, the developer initiates a communication procedure to be sustained throughout the development process beginning with the following contacts:

- **City Planning staff:** At the very earliest conceptual phase, a developer should contact city Planning staff to verify zoning, existing plans and special districts within the city.

- **Affected alders** are the first stop in the process of opening a dialogue with the community. The developer is expected to establish contact with affected alders through a personal call or conference. Alders are likely to appreciate the opportunity to discuss their perception of the issues and opportunities at the outset. Alders often provide guidance on how to open effective dialogue with the community.

- **Capitol Neighborhoods, Inc.:** The developer is expected to contact the CNI President to identify important development issues affecting the entire Capitol area and for advice as to which neighborhood districts should be involved. The CNI President will also determine if the CNI-wide Development Proposal Review Oversight Committee should be involved as described in Chapter 2, "Internal Organization and Proposal Review Jurisdiction".

- **CNI neighborhood districts:** Within the CNI structure, the district is the primary forum for involvement of neighborhood residents in the development proposal review process. CNI is organized into six districts. Developers are expected to contact the Chair of the relevant CNI district to acquaint himself/herself with the emerging proposal and discuss the timing of presentations to the neighborhood. At this point, the developer and the district Chair should form a principal communication axis to organize the neighborhood's involvement in the proposal review. The district Chair and the developer discuss the need for a Steering Committee, and identify other community groups that should be brought into the process, using this Protocol as a guide.

- **Steering Committee:** After the initial phase of introducing the proposal to the neighborhood, the district Chair and neighborhood representatives will determine the need for a Steering Committee to be formed to enter into a detailed dialogue with the developer on the proposal. The Chair will arrange for the convening of this committee, which will be open to volunteers from the neighborhood and other invited participants with a contribution to make to its deliberations. The

committee will then schedule the necessary meetings with the developer to explore all issues of neighborhood concern. See Appendix 3, "Meeting Sequence for Developer/Neighborhood Dialogue," which provides details on meeting structure and sequence.

- **Other community groups:** Representatives of property owners, businesses, and workers often participate actively in the CNI district committees, but are not primarily represented through them. The Capitol Neighborhoods area is rich with highly organized groups representing various stakeholding interests in development decisions. Developers are expected to work directly with such groups on their areas of interest. Among the most important are citywide, downtown, and neighborhood business groups. Also important are groups concerned with historic preservation and urban design.

The discussion above is listed in rough order of priority of contacts, but once the consultation process is fully initiated, actors should be re-contacted as the proposal evolves. Few proposals can be expected to march uninterrupted and unchanged from concept to final city approval. CNI participants expect to be involved until a sound conclusion of development issues is reached.

Neighborhood Proposal Review Phases

It is assumed that once a CNI district becomes involved, the process of community participation will proceed along the following general course, although no definitive timetable is possible. Most proposals must work through financing, design and policy issues, which can prolong the process at any time.

Early phase exploration

Developers are expected to brief neighborhood districts on their proposals as early as possible in the conceptual phase.

- In such a briefing the developer is asked to share the results of the process of acquiring land and developing the proposal concept, including the feasibility of alternative concepts considered, and compatibility with existing plans and zoning regulations.

- The district will schedule this briefing as an item of a regular monthly district meeting if feasible.
- During this process neighbors and other interested parties have the opportunity to express areas of agreement, hopes and wishes, issues of concern, and possible alternatives for the developer's consideration.
- As the result of such dialogue, the district can begin to determine the best approach to completing the review of the proposal, particularly if a Steering Committee will be needed.

Design concept dialogue

As the developer completes work defining the proposal, he or she is expected to discuss the emerging details with the neighborhood. This process should begin well in advance of the planned submission of a formal proposal to the city in order to allow a thorough dialogue on proposal details and issues. Meetings are expected to be held as design work is completed and alternative solutions to problems can be presented.

A key factor is whether the district has judged the proposal to be a simple proposal (such as a small commercial establishment or small apartment), which can be evaluated easily in a few district meetings, or whether it is a complex proposal requiring the detailed attention of a Steering Committee.

- Developers are expected to submit the "CNI Development Proposal Information Form" (Appendix 1) as soon as possible, with as much detail as possible, and to share drawings and plans as they become available.
- The Steering Committee should use this period to explore key issues of neighborhood concern such as height, massing, setbacks, parking, street access and appearance. A dialogue will be sought with the developer to frankly define problems and to seek creative solutions while the design process is underway.
- The district should also maintain a dialogue with the City Planning Department on the evolution of the proposal to share concerns and information from their unique perspectives. Minutes of meetings should be routinely shared with affected city departments. (*)

- The developer might also maintain a parallel dialogue with other community groups to deal with their distinct concerns. The developer and the <u>District Coordinating Committee</u> may also identify other interested groups (property owners, business owners, etc. as suggested above) to give briefings on the proposal and solicit their views.

Neighborhood review of the formal proposal

As the developer concludes the design of the proposal and prepares to formally submit the application to the City, the neighborhood will conduct a review of the formal proposal. In this process:

- The <u>Steering Committee</u> wraps up the dialogue with the developer and prepares its report to the district neighborhood and the City. The report is expected to include a discussion of the issues raised during committee meetings. The report should also include evolution of the discussion and the committee's current thinking on each topic. Typical issues of neighborhood concern may include height, mass, and setbacks, as well as impact on traffic and neighborhood character.

- The district Chair and representatives then convene a district neighborhood meeting, soliciting the participation of all interested residents to hear the presentation of the developer and the report of the <u>Steering Committee</u>.

- The developer and the development team present current plans for the proposal to a district neighborhood meeting including a detailed profile, complete visuals of the proposed design and, ideally, a scale model.

- The developer is expected to address the project's conformity to official neighborhood and city plans and address historic, conservation and design district requirements. The developer is also expected to present proposed solutions to such city issues as traffic impact, transportation access, and inclusionary zoning.

- During this discussion, and as soon as possible thereafter in writing, the district will provide feedback from the evaluation process, with concerns of the neighborhood.

Formulating the neighborhood response

There are a number of ways for the neighborhood district to formulate its Advisory/Position Statement on the proposal. Such a statement should be prepared as soon as possible following the final meeting and no later than the week before scheduled formal public hearings by city bodies in time for inclusion in their committee member packet.

- If there is a <u>Steering Committee</u>, it has the responsibility to provide its report to the district neighborhood and CNI President and to the City in time to be distributed to city decision-making bodies. The district might adopt this report as its statement. Determining whether the district will adopt the <u>Steering Committee's</u> report can be ascertained in a number of ways such as:
    - A voting process that provides an opportunity for all persons present to register their preferences while distinguishing the preferences of district residents, other CNI residents, and other interested participants in the discussion, such as local business people, institutional staff or property owners who do not live within CNI boundaries.
    - A resolution endorsing the <u>Steering Committee's</u> advisory/position, which has been moved and adopted by vote of the neighborhood residents.
- An Advisory/Position Statement may be adopted by the district neighborhood as a whole that expresses general comfort level with the project, identifies specific feedback regarding such issues as compliance with the neighborhood plan or compatibility with particular ordinances. The statement will provide recommendations to the developer of any steps that could resolve remaining issues, and communicates aspects of the proposal that are particularly pleasing. An effective statement will include specific recommendations for conditions of approval.
- In the event of a clear division of district neighborhood opinion, the <u>Steering Committee</u> is expected to report the substance of both opinions.
- In the event of a contested finding between CNI districts, or between a district and the <u>CNI Executive Council</u>, the <u>CNI Development Oversight Committee</u> in

conjunction with the district(s) involved is expected to submit a letter articulating the differing perspectives.

- In extreme circumstances, where a consensus of the neighborhood is in strong and irreconcilable opposition to a proposal, a formal Protest Petition might be submitted against a project to force a super majority vote in the Common Council. This measure is described in the Glossary.

(*)

Post Approval and Construction Phase

Once a proposal is approved the district neighborhood should maintain a continuing involvement and responsibility for its implementation. Because the developer has the best information on implementation, the developer is expected to keep the neighborhood informed on a project's progress. The district <u>Steering Committee</u> and developer are expected to interact to ensure implementation is in accord with the agreed project plan including the following:

- The developer will inform neighborhood leadership (district and CNI) and the <u>Steering Committee</u> of any demolition and the construction schedule.
- The developer is expected to inform the neighborhood leadership (district and CNI) and <u>Steering Committee</u> of any changes in materials, size of building or other changes that affect aspects that have previously been discussed with and agreed to by the neighborhood.
- The district and CNI should be prepared to notify the developer and the City if it appears that fundamental agreements reached during the review process are not being honored.
- The district <u>Steering Committee</u> and CNI are expected to welcome a new project into the neighborhood, celebrate a successful implementation process, and welcome new residents into the neighborhood and the neighborhood participation process.

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Holding Effective Neighborhood Meetings

The following guidelines are offered as best practices for the proposal review participation process for CNI District Steering Committees and neighborhood meetings. These will help participants achieve a constructive dialogue with developers, conduct an orderly and fair process for proposal consideration, and reach a clear statement of the neighborhood's Advice and/or Position.

Establishing identity and ownership

From the outset and throughout the process it is necessary to establish the identity of participants, their status as residents of the district or immediately adjoining CNI district, and their personal interests in the project under discussion. It is expected that neighboring property owners, business operators, and potential buyers and facility users may also want to participate. However, they do not have standing to vote in adopting Advisory or Position Statements. Only district residents have participation status for the adoption of formal committee statements.

Full disclosure of roles and interests

At initial meetings and at key decision points, all participants will be asked to identify themselves, their residency, and their interest in the project. A sign-up sheet will be circulated which includes resident contact information.

Meeting venues

Meeting venues will, ideally, provide neutrality and functionality within the limits of available sites. A quiet accessible space in a public building is optimal. Meetings in restaurants or other facilities where distractions are likely and participants must pay to participate are definitely not recommended.

Hospitality

It should be clear that district and Steering Committee meetings under the CNI umbrella are convened by the neighborhood and are under its control. Meetings that are hosted by the developer are not to be considered *neighborhood* meetings. Such things as food and refreshments provided by developers at neighborhood meetings are discouraged.

Developer's meetings

At any time in the process the developer many hold his/her own meeting with the neighborhood residents, businesses, or other interest groups. It should be clear, however, that such meetings do not substitute for a neighborhood participation process organized by CNI or CNI districts. Ideally such a meeting might be held very early in the process as beginning concepts are under exploration. If developer-initiated meetings are held in the midst of the neighborhood review process, the conveners must clearly distinguish the role of such meetings from the neighborhood participation process.

Neighborhood meetings

Once the plan review dialogue is underway, the following types of presentation discussions are anticipated, generally in the context of monthly district committee meetings.

- **Concept presentation/neighborhood preference discovery**:
  Preferably such an event is part of a monthly district meeting (hopefully after an earlier concept briefing has happened) when the developer's team is able to present the full design concept with drawings, models and profile data on the completed CNI Proposal Information Form (Appendix 1). At such meetings, a community preference discovery will be performed to elicit preferences, discover concerns and evaluations pro and con. The need for a <u>Steering Committee</u> should be addressed at this time if not already determined. (*)

- **Refinement sessions:**
  The development team returns to a district neighborhood meeting to present proposal revisions, refinements and responses to community concerns expressed at previous meetings or in a dialogue with the <u>Steering Committee</u>. This process may be repeated as often as needed to narrow differences.
  - An *Advisory Statement* may be prepared to clarify and communicate neighborhood concerns during this process.
  - A *Memorandum of Understanding* may be negotiated with the developer to reflect any understanding reached to resolve community concerns.

- **Decision meeting:**

Prior to the time of the developer's submission to the City, the Steering Committee will hold a meeting to review the final details of the developer's proposal. This meeting should be well publicized to obtain broad participation from the neighborhood.

- o **Alders, City Planning staff and other advisors** should be invited to attend and offer any information or guidance helpful to participants. Developers may be asked to leave after their presentation and a question period. During the final neighborhood decision process, a caucus of neighborhood residents only will participate in the writing of the final neighborhood Advisory or Position Statement.

- o **Agreement on a decision:** A formal vote at the meeting should result in a neighborhood Advisory or Position Statement describing areas of support, concern or disagreement. The district Chair in consultation with the Steering Committee Chair should agree on the process to draft such an opinion if issues are complex. One result may be referral back to the Steering Committee for further discussion. (*)

- **Recommendation formulation**: Ideally after a consensus viewpoint is reached through one or more decision meetings, a district neighborhood Advisory or Position Statement will be formulated by the district Chair or Steering Committee Chair or designated drafters. If consensus has been reached, the district Chair will testify. In complex, controversial situations, additional meetings prior to city committee hearings may be required to refine an Advisory/Position Statement to adequately reflect the concerns and preferences of the neighborhood.

  - o An *Advisory Statement* is the preferred vehicle to state district neighborhood's support or opposition in the case of complex or controversial cases.

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Chapter 5: DEVELOPER READINESS

A developer, ready to engage the neighborhood, has more than just an idea for a development proposal. In fact, readiness may begin long before an idea for a proposal is identified. At different stages in the proposal review process readiness will include different components. What follows are the stages in the proposal review process and some attributes that contribute to developer readiness. At each stage of the process clear and open communication between the developer and the neighborhood is critical. Good communication is key to a collaborative, productive, and congenial review process.

Early Readiness – Knowing the Neighborhood

1. Review the neighborhood plan, the city's comprehensive plan, and any other plans that cover the area in which you are interested in developing.

2. Know any planning overlays, such as the historic district, design district or conservation district criteria where applicable.

3. Be familiar with the underlying zoning.

4. Review records of previous development proposals in the neighborhood and, in particular, study previous neighborhood Advisory or Position Statements.

5. Meet the leaders of CNI and the CNI district in which your potential development is located well before you want to propose a development. Find out the general hopes, wishes, issues, and concerns for the neighborhood.

6. Attend neighborhood meetings well before a development is proposed to better understand the specific hopes and concerns of residents.

7. Start the communication process early. Be diligent throughout any proposal or building process about communicating/consulting with neighborhood leadership and residents. Don't assume they will find out about your project some other way. In every communication on a specific proposal or issue include specific information on whom to contact.

8. Understand that neighborhoods are volunteer organizations that do not have the time and resources available to developers. As a result neighborhood districts may not always be able to respond as quickly as a developer would like.

Understanding this and allowing for this when establishing a timeframe for a proposal review will establish a better working relationship.

9. Review the Neighborhood Protocol for development proposal reviews.

Continuing Readiness

1. The preferred approach at the earliest interest in a particular proposal is for the developer to approach the neighborhood district representatives with a request to engage a short series of open community meetings where the only agenda is to brainstorm and document the residents' hopes, wishes, issues, and concerns about the site in question.

2. Any subsequent development proposal will fare best if those resident hopes, wishes, issues, and concerns have been addressed in the early stages and before any plans are actually submitted. Proposed height, massing, and use are often key elements of the proposal at this time.

3. Study the components of all applicable plans. Understand how the current proposal relates to these plans. Discuss any need for clarification or interpretation with neighborhood district leadership and residents.

4. Coordinate communications with city staff, neighborhood leadership (both district and CNI), and the Alder to be sure there is a common understanding of a given development proposal and what the timing might be.

5. Talk to the Alder and district leadership about presenting emerging thoughts and concepts for the development proposal.

6. As a development proposal advances there will often be a tension between the desire to allow for a range of input on a proposal and having sufficient detail to engage the discussion. A well-prepared developer will understand this dynamic and work with the underlying contradictions. Clear and open communication is important so all parties understand how far along the developer is in the proposal development process. Details are important to a discussion about a particular proposal but they should not be cast in stone.

7. When evolved proposals are presented, the details become especially important. A well-prepared presentation will include specifics about a proposal including:
   o Setbacks from property lines.

- Height of building elements relative to the sidewalk.
- Dimensioned site plans.
- Contextual relationships to adjacent properties, with setback and height information for these properties.
- Entry and exit to the property, loading areas, parking.
- Uses.

8. Be aware that a particular resident's general opposition to a development proposal often rests in a difficulty with some specific detail.

Communications:

1. Options for communication can include listservs, mailings, and flyers.
2. Presentations by the developer should include data, visuals, and be accessible to neighbors for additional questions.
3. If effective, early communications have occurred, early draft visuals should not contain shocks in terms of height, massing, uses, and overall footprint.
4. Do not fall prey to the idea that asking for more than what you want (in terms of height for example) will somehow work to 'trick' residents into approving what you *really* want.
5. Work with the Steering Committee to sort out questions, issues, and ideas related to the proposed development and to address as many concerns and ideas as possible prior to a full neighborhood meeting.
6. For items or concerns that are not addressed, document the reasons for not addressing them in writing and provide them to the Steering Committee.
7. Do not assume that Steering Committee comfort with the discussion at this stage implies *approval*.
8. It's not uncommon for a developer to interpret Steering Committee cautions as a threat to work against the development. It's important to know that district leadership has probably been through similar development proposals before and they most likely know what their constituency thinks about many aspects. They offer their cautions to help the developer, not to threaten the development.
9. Complete checklists and information forms provided by the neighborhood.

10. Work with neighborhood leaders and <u>Steering Committee</u> to schedule a meeting(s) for neighborhood residents and other interested parties.

11. Work with the neighborhood leaders and the Alder regarding how meeting costs will be covered (e.g., facilitator, mailings, handouts, etc.).

12. Strive to gain additional understanding of concerns and additional ideas about what will make the project work for residents, and for your potential customers.

13. As the proposal evolves, be prepared to construct a scale model of the proposed development. It's the best way to get a solid understanding of how the height, massing, and overall footprint will impact the look of the street and surrounding buildings and residents. The scale model should include at minimum the other buildings on both sides of the street on the block. In some instances, in addition to a scale model a virtual model may be a useful tool. NOTE: If you use 'fly-by' virtual technology, it is important to know that your audience has a higher comfort level when one of them is at the keyboard controls.

14. It's important to understand that most productive dialogue between developers, community residents, and city staff occurs in the discussion of the details. It's important that the participants in this detailed discussion are encouraged to look for the "miracles" as well as the "devil" in these details.

15. Be open to input from residents, try to understand how neighborhood hopes and desires as well as concerns and issues relate to the detailed proposal.

16. Neighborhood people have a lot of wisdom to offer a developer. They are, in fact, a microcosm of the developer's market and they often bring forward ideas that will actually benefit the developer in the eventual marketing of the development. It's important to listen completely to this wisdom and to not dismiss such input, either in attitude or in fact.

17. Review the meeting management section of the Protocol.

18. Communicate with the neighborhood leadership (district and CNI) and <u>Steering Committee</u> about plans for formal scheduled city reviews.

    Note: There should be a citywide solution to the issue of costs such as facilitation, mailings, and supplies associated with neighborhood involvement.

Chapter 7: GROUND RULES

Ground rules are statements of values and guidelines, which a group establishes consciously to help individual members decide how to act. To be effective, ground rules must be clear, consistent, agreed-to, and followed.

Team ground rules address how individuals treat each other, communicate, participate, cooperate, support each other, and coordinate joint activity. A team should create and adopt written ground rules during the first few organizing sessions. The rules should be consulted and adhered to through reminders and team process checks. They should be added to and revised as needed.

The following are recommended team ground rules.

Our Attitude and Culture

- We treat each other with respect.
- We value constructive feedback. We will avoid being defensive. We will give feedback in a constructive manner.
- We treat non-committee meeting attendees with respect including district and neighborhood residents, developer representatives and other attendees.
- We strive to recognize and celebrate individual and team accomplishments.
- As team members, we will pitch in to help where necessary to help solve problems and catch up on behind-schedule work.
- We will respectfully and willingly engage in difficult discussions.
- We will focus sufficient time on team process and conduct process checks when one member believes we are deviating from our ground rules.

(*)

Communication and Decision-Making

- One person talks at a time; there are no side discussions.
- Each person is given a chance to speak his or her mind while at the same time respecting the group's time and the meeting's timetable. We will be brief and focus on facts, not opinions. We will not interrupt. Interrupting includes non-verbal communication and sounds of all types.

- We emphasize open and honest communication—there are no hidden agendas.

- We de-personalize discussion of issues—no attacks on people.

- We will listen, be non-judgmental and keep an open mind on issues until it is time to decide.

- We emphasize balanced participation of all team members. Each team member is expected to commit to fully participating.

- We focus on our interests rather that our positions

- We will emphasize collaboration and use consensus for important decisions and issues. For issues of fact, we will rely on substantiated factual information and/or a subject matter expert.

- When we pose an issue or a problem, we will also try to present a solution.

- Team commitments shouldn't be made lightly, and we will keep those that we do.

Suggestions to Developers

- Be respectful of the rights and the values of neighborhood residents to participate completely in all aspects of the development proposal review process. Welcoming and engaging residents in this process is likely to lead to a more appealing result and an inviting climate for your future customers.

- Be respectful of the process. Attempting to manipulate the process breeds an environment of mistrust that works against the developer's interests by hindering the successful completion of the process. A tactic that has proven itself ineffective is trying to unduly influence or distort neighborhood meetings with people who are in some way obligated to the developer.

- Aim for transparency. Providing relevant information in a timely manner and disclosing the self-interests of participants fosters an environment of trust that can help bridge differences and achieve steady progress through the review process.

- Strive to maintain a civil dialogue that is considerate of all points of view. Understand that there will be differences of opinion and that it is counterproductive to a developer's interests to attempt to silence objections or require unanimity.

- A helpful technique for interacting with a person expressing an objection is to ask that person to talk more about his or her objection. Repeat this line of questioning a few times until you get to the bottom of the objection. The objector will very likely reveal one or more specific things in mind. When you know exactly what the objection is, you have a better chance of resolving it.

Facilitators

- When particularly challenging development proposals are the focus of the <u>Steering Committee</u>, it may make sense to identify a neutral facilitator.

- The neutral facilitator's duties may include developing draft agendas, chairing meetings, working to assure that all viewpoints are heard, preparing meeting summaries, assisting in the location and circulation of background materials and assuring that varying viewpoints are reflected in Advisory/Position Statements.

- The facilitator(s) will take no positions on the issues being considered by the <u>Steering Committee</u>.

APPENDICES

Appendix 1: PROPOSAL INFORMATION FORM

Please supply as much information as is currently available about your development plans. Please submit the information as early in the development process as possible.

We recognize that project plans evolve, in part, as a result of interaction and input of the neighborhood association.

We look forward to working with you to make the processes as smooth as possible.

If your proposal is more complex than the form allows for, please feel free to attach additional information to make your current thinking as clear as possible.

You may complete this form either electronically or on paper. To use the electronic form, scroll to each field using the 'Tab' key. Once you've completed the form, save it as a Word document. Submit the form via e-mail to the CNI President and the <u>Development Proposal Review Oversight Committee</u> Chair. Email addresses can be found at: CapitolNeighborhoods.org. Thank you.

Capitol Neighborhoods Development Proposal
Proposal Information Form

I. General Information

Initial date of questionnaire information	
Revision dates	

Proposal Name

Proposal

Address(es):

Owner's Name:

Proposal

Architect/Designer:

Number of floors &

maximum height above the

sidewalk

Brief Proposal Description:

Desired date for City submittals

Desired Start Date:

Anticipated Completion Date:

Ownership Type (check one):   Rental ☐   Outright Sale ☐   Condominium Sale ☐

What reviews or approvals

will be required? (Plan

Commission, Urban Design

Commission, Landmarks,

Council)

II. Development Team

(Please note if there is a key contact person)

Name/Role (e.g. Project Manager, Architect, etc.) and Business Address	e-mail Address		Phone #		Fax #

III. Housing Components

Unit Mix – Market Price	Number		Average SF		Average Rent/Purchase Price
Efficiency					
One Bedroom					
Two Bedroom					
Three Bedroom					
Four or More Bedroom					
Penthouse					
Unit Mix – Inclusionary Zoning/Other Deed Restricted	Number		Average SF		Average Rent/Purchase Price
Efficiency					
One Bedroom					
Two Bedroom					
Three Bedroom					
Four or More Bedroom					
Penthouse					

Rental Units

Percent of Total – Affordable (AU)	
Percent of Total Market Rate (MR)	
Number of Affordable Units	
Average monthly rent not including utilities AU	
Number of Market Rate Units	
Average monthly rent not including utilities MR	
Square Foot Size of AU as % of MR	
Annual Overall rent per square foot	

Further Description of Proposed Pricing Levels (as needed):

Further Description of Affordability Compliance (as needed):

IV. Commercial Components

Commercial Square Footage   _____

Type and Number of Commercial Units:

Type: Number:

Rental Rates: _____ $/sf

V. Other Components (Industrial or Other)

Brief Description:

VI. Zoning Issues

Current Zoning Classification:

Is the site currently a PUD?

Is the site in a Historic District?

Will the proposal meet current

zoning requirements?

Depth of Site   _____   ft

Width of Site   _____   ft

Lot Size: _____   total sf

Lot Size: _____   acres

Units/Acre   _____

Bedrooms/Acre   _____

Setbacks: (zoning requirements / proposed)

Zoning	Required	Proposed			Required	Proposed	
Front Yard:			ft.	Side Yard 2:			ft.
Side Yard 1:			ft.	Rear Yard:			ft.

Signage: _____

Height of Structure: _____
(above sidewalk)

Will This Project Require a Zoning Variance?   Yes ☐   No ☐

Will This Project Be a PUD?   Yes ☐   No ☐

VII. Parking Issues

Street from Which Parking Is Accessed: _____

Number of Surface Stalls: _____

Number of Underground or Ramp Stalls: _____

Number and location of
Bicycle Stalls: _____

Number and location of
Loading Zones: _____

Please provide a site plan indicating these items

VIII. Landscaping, Green Space

Landscaped Area Square
Footage: _____
Sf and % of site

Area of site with a pervious surface _____
Sf and % of site

Area of site with impervious surface _____

Does the proposal incorporate a
green roof? _____

Landscaped Area Location: _____   please provide a site plan

Describe Landscaped Features:

Describe Open/Recreational Space:

IX. Aesthetics/Historical Preservation

Describe General Appearance of Building(s):

Yes ☐   No ☐

Will Demolition Be Required?   Describe

Describe any proposed demolition and reasons for proposed demolition.

Will existing materials be reused?

Describe Existing Structures to Be Preserved or Reused:

Describe Exterior Features:

Exterior Materials Utilized:

Types of Doors Utilized: _____

Types of Windows
Utilized: _____

Identify Exterior Features: _____
_____

Is the proposal located within a Historic District? Local _____ National Register _____

Describe Compliance with Historic District Requirements:

X. Sustainability Issues

Describe Recycling of Material:

Describe Energy Efficiency of Project:

Describe Storm Water Management Plan:

Describe Any Other "Green" Building Practices:

XI. Financing and Costs

Describe Any TIF, CDBG, CDA or other City or Public Funding Being Sought:

Will This Qualify for Historical Tax Credits?　　　Yes ☐　　No ☐

Cost per square foot　　　　　Value per square foot

XII. Alcohol Licensing

Will An Alcohol License be Requested?　　　Yes ☐　　No ☐

If more than one establishment in the proposal will require an
Alcohol License please indicate how many.　　　☐

What Percent of Sales at the First Establishment Are
Anticipated to be Alcohol?　　　　　　　Percent

What Percent of Sales at the Second Establishment Are
Anticipated to be Alcohol?　　　　　　　Percent

XIII. Miscellaneous

Describe how this proposal addresses the Neighborhood Plan

Describe how this proposal addresses the City Comprehensive Plan for Downtown.

Please Describe Any Other Relevant Issues:

Appendix 1: Table of Contents for the complete Protocol